

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GLEN SWILLING
ROUTE 1, BOX 83, GOODRICH CREEK ROAD
BAKER CITY, OREGON 97814

confirms the right to use the waters of SPRING CREEK AND PINE CREEK, tributaries of POWDER RIVER, for IRRIGATING 45.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at Page 291. The date of priority is 1898.

The use is limited to 1.125 CUBIC FEET PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SPRING CREEK - SW 1/4 SE 1/4, SECTION 30, T 8 S, R 39 E, W.M.;
410 FEET NORTH AND 1000 FEET EAST FROM THE S 1/4 CORNER OF SECTION 30;
PINE CREEK - SW 1/4 NE 1/4, SECTION 26, T 8 S, R 38 E, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated.

A description of the place of use to which this right is appurtenant is as follows:

SW 1/4 SE 1/4 10.0 ACRES
SE 1/4 SE 1/4 35.0 ACRES
SECTION 30
TOWNSHIP 8 SOUTH, RANGE 39 EAST, W.M.

This certificate is issued to correctly describe the place of use and describes that portion of the water right confirmed by Certificate 60013, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered September 5, 1978, and supersedes Certificate 60013, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed
MARCH 20, 1992.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 67217.

T-3940.JS